

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

MICHAEL TORRES JAIMES,)	CIVIL NO. 07-00407 SOM/BMK
)	CRIM NO. 03-00501 SOM
Petitioner,)	
v.)	
)	
UNITED STATES OF AMERICA,)	ORDER DENYING REMAINDER OF
)	PETITIONER'S 28 U.S.C. § 2255
Respondent.)	PETITION
_____)	

ORDER DENYING REMAINDER OF PETITIONER'S 28 U.S.C. § 2255 PETITION

On July 27, 2007, Michael Torres Jaimes filed a petition under 28 U.S.C. § 2255. On September 5, 2007, Jaimes filed what appeared to be another petition under § 2255. The court deemed that petition to be an amended § 2255 petition.

To the extent that Jaimes argued that his counsel, Pamela Tower, was ineffective when she advised him not to answer a probation officer's questions regarding his drug history in connection with the preparation of his presentence report, the court denied the amended petition in a written order filed on September 12, 2007.

Jaimes's amended § 2255 petition also asserted that his sentence was in excess of that allowable under the constitution, as well as other ineffective assistance of counsel claims. Jaimes says that Ms. Tower failed to properly prepare for trial, failed to negotiate a plea deal, failed to interview witnesses who would assist in the defense, and failed to advise Jaimes about the strengths and weaknesses of his case or about possible

evidentiary rulings. Jaimes provided no factual detail about any of these claims. In the court's September 12, 2007, order, this court informed Jaimes that, without such detail, Jaimes cannot demonstrate any entitlement to relief under § 2255. The court then allowed Jaimes to file a "Supplemental Memorandum in Support of § 2255 Petition" no later than October 8, 2007.

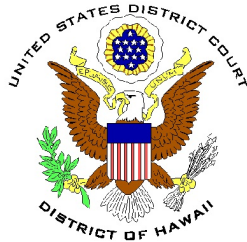
On October 15, 2007, this court received Jaimes's motion for additional time to file his supplemental brief. This court granted that motion on October 17, 2007, ordering Jaimes to file his supplemental brief no later than December 7, 2007. To date, Jaimes has not submitted a supplemental memorandum. As this court stated in its September 12, 2007, order, Jaimes has not shown entitlement to § 2255 relief on any of the additional grounds raised by his amended petition. To the contrary, Jaimes appears to have abandoned those claims in light of his failure to file a supplemental memorandum. Accordingly, the remainder of Jaimes's amended § 2255 petition is denied.

The Clerk of Court is directed to close this case. The Clerk of the Court is also directed to send this order to Jaimes,

to Assistant United States Attorney Louis A. Bracco, and to
Pamela O'Leary Tower, Pacific Tower, 1001 Bishop St., Ste 1330,
Honolulu, HI 96813.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, January 22, 2008.



/s/ Susan Oki Mollway
Susan Oki Mollway
United States District Judge

Michael Torres Jaimes v. United States, Civil No. 07-00407 SOM/BMK; Crim. No.
03-00501 SOM; ORDER DENYING REMAINDER OF PETITIONER'S 28 U.S.C. § 2255
PETITION